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December 14, 2004

Applicants: Andrei V. Shchegrov
Title: Parametric Profiling Using Optical Spectroscopic Systems
Application No.: 09/741,663 Filing Date: December 19, 2000
Examiner: Roy M. Punnoose Group Art Unit: 2877
Docket No.: TNCR.189US0 Conf. No.: 7526

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard;
- (2) This Transmittal Letter (in duplicate);
- (3) Issue Fee Transmittal (1 page-in duplicate);
- (4) Comments On Statements Reasons For Allowance (2 pages);
- (5) Amendment Under 37 CFR 1.312 (19 pages); and
- (6) Check for \$1,709.00

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Franklin Dyer

Respectfully submitted,

James S. Hsue
Reg. No. 29,54512/14/04
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

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San Francisco, California
December 14, 2004

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENTS FOR REASONS FOR ALLOWANCE

Dear Sir:

Claims 1, 49, 75, 99, 101 and 103 are indicated by the Examiner to be allowable for a number of reasons. However, some of the reasons for allowance do not apply. For example, while claims 99, 101, and 103 refer to the profile of a structure, this structure is not limited to one that is "on and/or below one or more layers of material," and that while the radiation that is detected in the measurement is detected after the radiation has been modified by the structure, these claims do not require that the radiation detected have been modified by one or more layers.

Claims 19, 62, 88, 100, 102 and 104 have been allowed for a number of enumerated reasons. The reasons listed, however, do not apply to all such allowed claims. For example, while claims 100, 102 and 104 refer to a profile of a structure, such structure is not limited to one that is "on and/or below one or more layers of the material." In claims 100, 102 and 104, at least one set of radiation data is selected based on sensitivity of such data to a change in the one or more parameters of the profile type.

However, such selection does not depend on the sensitivity of such data to a change in one or more parameters of any layers.

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